

03-01-02

JC119 PCT/PTO 28 FEB 2002 1651

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PATENT

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: KOSUNA, Ken-ichi

Application No.: 10/048/927 10,045,972 Group No.: N/A

Filed: 01/11/2002 Examiner: N/A

For: COMPOSITION FOR THE TREATMENT OF SYMPTOMS AND CONDITIONS ASSOCIATED
WITH AGING

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EV 032345983 US

Date of Deposit 28 February, 2002

I hereby state that the following *attached* paper or fee

- Petition For Date Of This Submission Of Items Indicated As Omitted On "Notice of Omitted Items" As Application Filing Date
- New Combined Declaration and Power of Attorney
- Copy of Notice Of Incomplete Nonprovisional Application
- 3 Sheets Formal Drawings
- Express Mail Certificate and post card

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202.

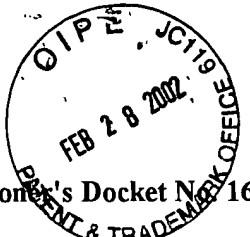
Lia H. Costello, Legal Assistant

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OFFICE OF PETITIONS



Practitioner's Docket No. 1617.22B

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#3

JUN 04 2002

TECH CENTER 1600/2900

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: KOSUNA, Ken-ichi 972

Application No.: 10/048,972 10/045,972 Group No.: N/A

Filed: 01/11/2002 Examiner: N/A

For: COMPOSITION FOR THE TREATMENT OF SYMPTOMS AND CONDITIONS ASSOCIATED WITH AGING

Assistant Commissioner for Patents

Washington, D.C. 20231

PETITION FOR DATE OF THIS SUBMISSION OF ITEMS INDICATED AS OMITTED ON "NOTICE OF OMITTED ITEMS" AS APPLICATION FILING DATE

1. Response

Applicant responds to the "NOTICE OF OMITTED ITEMS" mailed February 6, 2002. This response is being made within two (2) months of the mailing of the "NOTICE OF OMITTED ITEMS."

A copy of the "NOTICE OF OMITTED ITEMS" is enclosed.

2. Petition

This is a nonprovisional application and applicant hereby petitions under 37 C.F.R. section 1.182 to accept the date of this submission as the application filing date.

In the alternative, Applicant herein petitions the Office to convert the instant "Petition For Date of This Submission of Items Indicated As Omitted On 'Notice Of Omitted Items' As Application Filing Date" to one of "Completion Of Filing Requirements" for the following reasons:

The instant application is a continuation-in-part of co-pending application serial no. 09/591,243, filed June 9, 2000. This family patent application which was a continuation-in-part of application serial no.

CERTIFICATION UNDER 37 C.F.R. SECTION 1.10*

(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this "Cover Sheet for Assignment (Document) Accompanying New Patent Application" and the documents referred to as attached therein are being deposited with the United States Postal Service on this date 28 February 2002, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EV 032345983 US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Lia H. Costello, Legal Assistant

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JUN 05 2002

OFFICE OF PETITIONS

(Petition for Date of This Submission of Items Indicated as Omitted on
"Notice of Omitted Items" as Application Filing Date—page 1 of 2)

09/366,082, filed August 3, 1999 contained the drawings which through a clerical mistake was inadvertently omitted in the transmittal of the instant application; that is, the drawings were inadvertently not transferred to the new file.

However, the specification submitted clearly delineated that drawings were supposed to be included as page 5 of the specification details the contents of the drawings in the section "BRIEF DESCRIPTION OF THE DRAWINGS," where Figs. 1-3 are briefly described.

In addition, the fifth line of page 1 of the specification clearly states that the "disclosure of (the parent application) is hereby incorporated by reference ... " The disclosure included the drawings and Applicant could have instead asked that the drawings be transferred from the parent application to the instant CIP application.

3. Submission

Submitted herewith is:

- * the omitted item listed on the "NOTICE OF OMITTED ITEMS".

4. Petition Fee (37 C.F.R. section 1.53(e)(2))

Nonprovisional

(37 C.F.R. section 1.17(i)) \$ 130.00

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OFFICE OF PETITIONS

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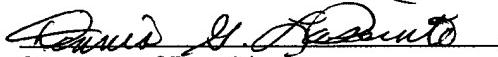
Charge Account No. 13-1992 the sum of \$ 130.00.

A duplicate of this petition is attached.

Please charge Account No. 13-1992 for any fee deficiency for this petition.

Please charge any additional fee required by this paper to Account No. 13-1992.

Date: 02/28/02


Signature of Practitioner

Reg. No.: 40,693
Tel. No.: 727-538-3800
Customer No.: 24040

Dennis G. LaPointe
Mason & Associates, P.A.
17757 US Hwy 19 N., Suite 500
Clearwater, FL 33764

Copy of 3

URGENT**MASON & ASSOCIATES, P.A.**
FAX COVERSHEET17757 U.S. Hwy 19 North, Suite 500, Clearwater, FL 34677
Our Fax #: (727) 538-3820TO: USPTO
Dept/Office/Art Unit: Office of Petitions
FAX #: 703-308-6916
TOTAL # OF PAGES: 14DATE: April 1, 2002
OUR FILE: 1617.22B
FROM: Dennis G. LaPointe
Tel.: 727-538-3800**ATTN: ELEANOR WILLIS**Subject: **Application No.: 10/045,972**
Deadline Date: April 6, 2002**FAX RECEIVED**
APR - 1 2002Documents
Attached:**PETITIONS OFFICE**

Comments:

As discussed, we enclose one complete copy of our facsimile sent to the Initial Patent Examination Division on March 25, 2002, including the Transmission Verification Report per your request.

If anything else is required, please do not hesitate to contact the undersigned, or my legal assistant Lia Costello at 727-538-3800 Ext. 2007.

Thank you for your help.

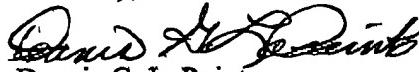
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Sincerely,


Dennis G. LaPointe
Mason & Associates, P.A.

Receipt is hereby acknowledged.

Signature: _____ Date: _____

URGENT**MASON & ASSOCIATES, P.A.
FAX COVERSHEET**17757 U.S. Hwy 19 North, Suite 500, Clearwater, FL 34677
Our Fax #: (727) 538-3820**FAX RECEIVED**TO: USPTO
Dept/Office/Art Unit: Initial Patent Exam
FAX #: 703-308-7751
TOTAL # OF PAGES: 12DATE: March 25, 2002
OUR FILE: 1617.22B
FROM: Dennis G. LaPointe
Tel.: 727-538-3800'APR - 1 2002
PETITIONS OFFICE**ATTN: Ms. Robinson, Initial Patent Examination Division**Subject: Application No.: 10/045,972
Deadline Date: April 6, 2002Documents • See Express Mail Certificate Attached
Attached:

Comments:

As discussed, we enclose one complete copy of our Petition with enclosures as mailed to the USPTO via Express Mail on February 28, 2002.

We would greatly appreciate your assistance in processing the attached. If anything else is required, please do not hesitate to contact the undersigned, or my legal assistant Lia Costello at 727-538-3800 Ext. 2007.

Thank you for your help.

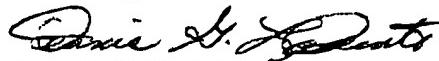
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Thank you.

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Sincerely,



Dennis G. LaPointe

Mason & Associates, P.A.

Receipt is hereby acknowledged.

Signature: _____

Date: _____

TRANSMISSION VERIFICATION REPORT

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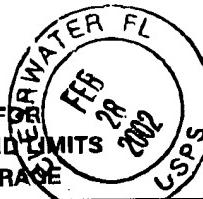
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PAGE 04



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PETITIONS OFFICE

We hereby acknowledge receipt of the following:

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JC10 Rec'd PCT/FTO 28 FEB 2002

Applicant: Ken-ichi KOSUNA

Serial No.: 10/045,972

Date Filed: 1/11/2002

Title: COMPOSITION FOR THE TREATMENT OF SYMPTOMS AND CONDITIONS ASSOCIATED WITH AGING

← correct

File No.: 1617.22B

LA: lhc

Express Mail: EV 032345983 US

Mailed: 28 February 2002

#3

PATENT

Practitioner's Docket No. 1617.22B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: KOSUNA, Ken-ichi

Application No.: 10/042,972

Group No.: N/A

Filed: 01/11/2002

Examiner: N/A

For: COMPOSITION FOR THE TREATMENT OF SYMPTOMS AND CONDITIONS ASSOCIATED
WITH AGINGAssistant Commissioner for Patents
Washington, D.C. 20231

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PETITIONS OFFICE

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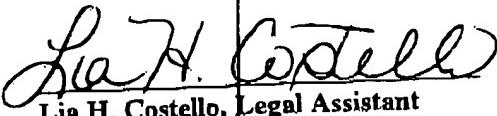
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Lia H. Costello, Legal Assistant

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Nonprovisional

(37 C.F.R. section 1.17(i))	\$ 130.00
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Charge Account No. 13-1992 the sum of \$ 130.00.

A duplicate of this petition is attached.

Please charge Account No. 13-1992 for any fee deficiency for this petition.

Please charge any additional fee required by this paper to Account No. 13-1992.

Date: 2/28/02

Dennis G. LaPointe

Signature of Practitioner

Dennis G. LaPointe
Mason & Associates, P.A.
17757 US Hwy 19 N., Suite 500
Clearwater, FL 33764

1617C22B.Petition For Date.02282002.doc

(Petition for Date of This Submission of Items Indicated as Omitted on
"Notice of Omitted Items" as Application Filing Date—page 2 of 2)

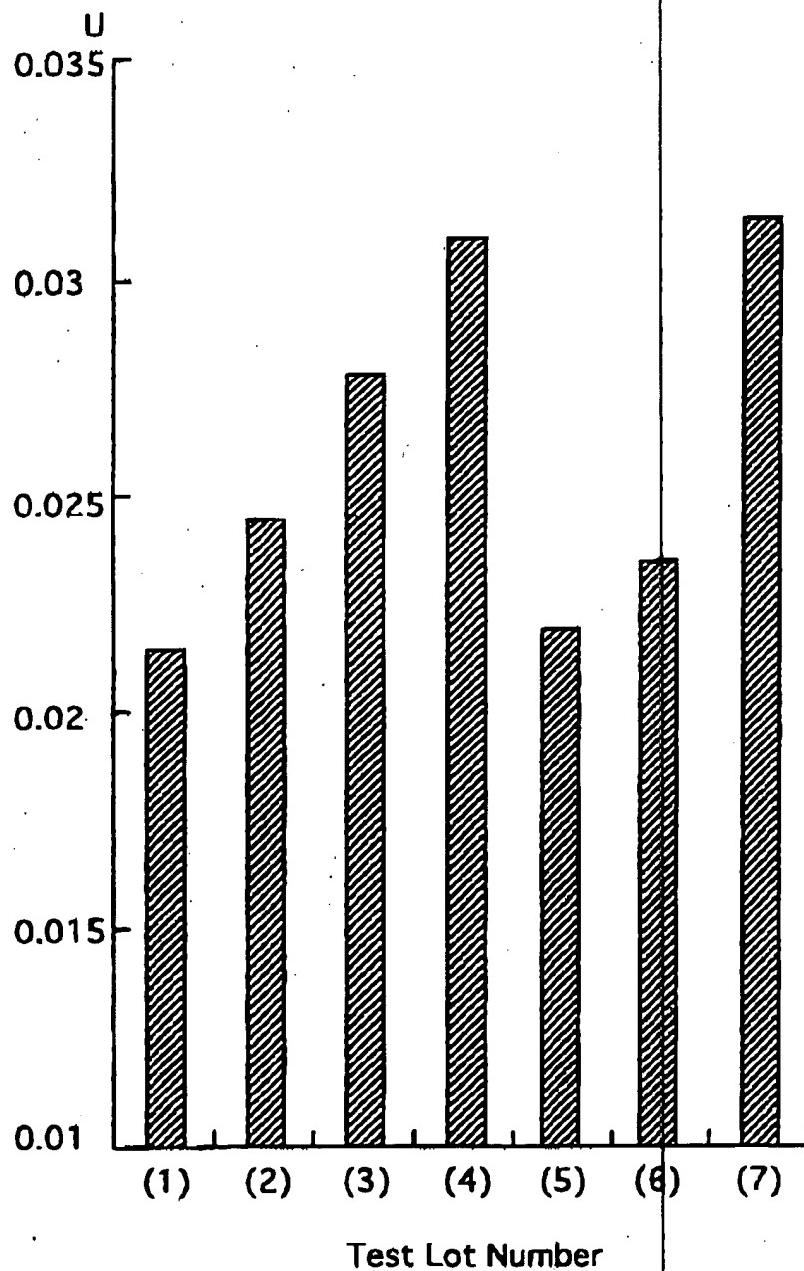
For: COMPOSITION FOR THE TREATMENT OF SYMPTOMS AND CONDITIONS ASSOCIATED WITH AGING

In re application of: Ken-ichi KOSUNA

Application No.: Unknown

Attorney Docket No.: 1617.22B

FIG. 1



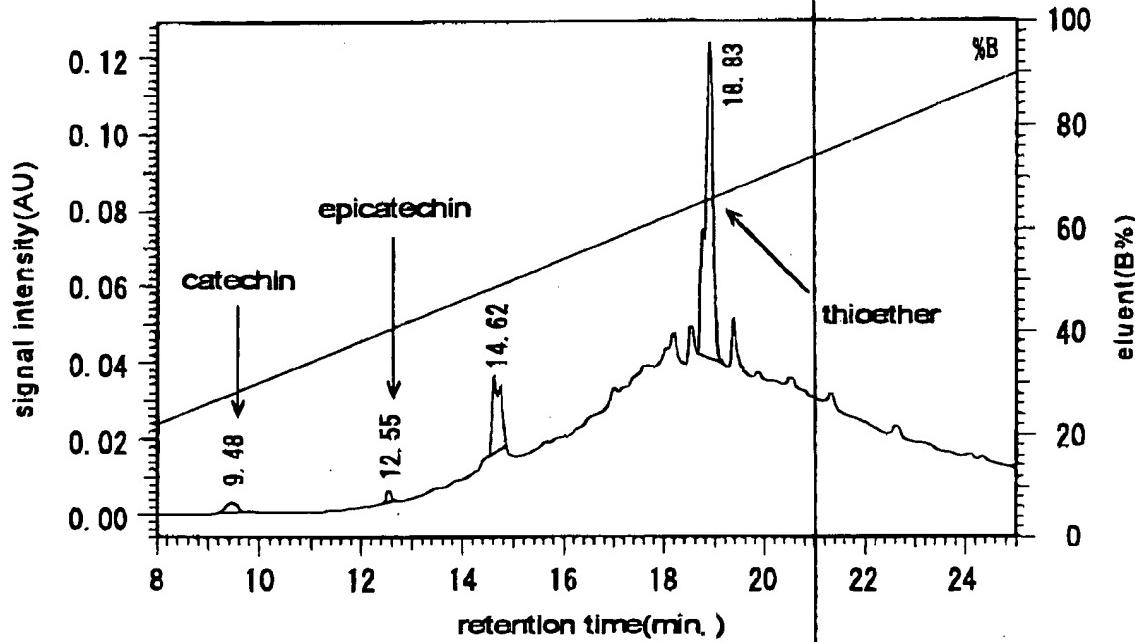
For: COMPOSITION FOR THE TREATMENT OF SYMPTOMS AND CONDITIONS ASSOCIATED WITH AGING

In re application of: Ken-ichi KOSUNA

Application No.: Unknown

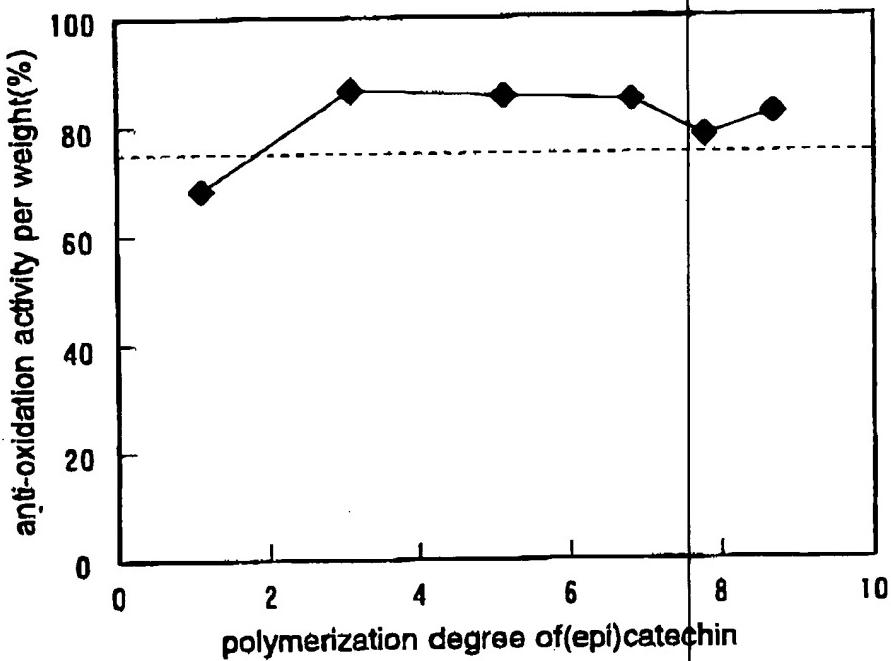
Attorney Docket No.: 1617.22B

FIG. 2



For : COMPOSITION FOR THE TREATMENT OF SYMPTOMS AND CONDITIONS ASSOCIATED WITH AGING
In re application of: Ken-ichi KOSUNA
Application No.: Unknown
Attorney Docket No.: 1617.22B

FIG. 3





UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/045,972	01/11/2002	Ken-ichi Kosuna	1617.22B

24040
 MASON & ASSOCIATES, PA
 17757 US HWY 19 N.
 SUITE 500
 CLEARWATER, FL 33764

COPY

CONFIRMATION NO. 3882

FORMALITIES LETTER



OC00000007427843

Date Mailed: 02/06/2002

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within TWO MONTHS of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).

A copy of this notice MUST be returned with the reply.

Customer Service Center
 Initial Patent Examination Division (703) 308-1202
 PART 2 - COPY TO BE RETURNED WITH RESPONSE

Practitioner's Docket No. 1617.22B

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: KOSUNA, Ken-ichi

Application No.: 10/048/927

Group No.: N/A

Filed: 01/11/2002 045, 972

Examiner: N/A

For: COMPOSITION FOR THE TREATMENT OF SYMPTOMS AND CONDITIONS ASSOCIATED
WITH AGING

EV032345983US

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

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Lia H. Costello, Legal Assistant


Signature of person mailing paper or fee